

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Gerald J. Isaacs	Member
Paul Knoblauch	Ex-Officio Member
Harold Lerschen	Ex-Officio Member

IN THE MATTER OF THE JOINT RESOLUTION)	
BETWEEN MARSHALL AND THE TOWN OF LAKE)	<u>FINDINGS OF FACT,</u>
MARSHALL FOR THE ORDERLY ANNEXATION)	<u>CONCLUSIONS OF LAW,</u>
OF CERTAIN LAND TO THE CITY OF MARSHALL)	<u>AND ORDER</u>

The above-entitled matter came on for hearing before the Minnesota Municipal Commission pursuant to Minnesota Statutes 414, as amended, on September 3, 1975 at Marshall, Minnesota. The City of Marshall appeared by and through Joseph M. Sills, City Administrator. No persons or parties appeared in opposition to the annexation. The hearing was conducted by Howard L. Kaibel, Executive Secretary of the Minnesota Municipal Commission pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners Knoblauch and Lerschen, Ex-Officio Members of the Commission. Testimony was heard and records and exhibits were received.

After due and careful consideration of all evidence, together with all records, files and proceedings, and being fully advised in the premises, the Minnesota Municipal Commission hereby makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. That a joint resolution for orderly annexation was adopted by the City of Marshall and the Township of Lake Marshall and duly filed with the Minnesota Municipal Commission.
2. Due, Timely and adequate legal notice of the hearing was published, served and filed.
3. That the area proposed to be annexed is characterized by governmental-highway development.

4. That the City of Marshall is capable of and it is practical for it to provide to the area proposed for annexation full municipal services within the next 3 years.

5. The population of the area proposed for annexation is zero.

6. The property proposed for annexation is tax exempt.

CONCLUSIONS OF LAW

1. The Minnesota Municipal Commission duly acquired and now has jurisdiction of the within proceeding.

2. The area proposed for annexation is now or is about to become urban or suburban in nature.

3. The City of Marshall is capable of providing the services required by the area described herein within a reasonable time.

O R D E R

IT IS HEREBY ORDERED: That the following described property lying in the Township of Lake Marshall County of Lyon, State of Minnesota, be and the same hereby is annexed to the City of Marshall the same as if it had originally been made a part thereof:

That part of Country Club Drive (formerly Trunk Highway No. 23) lying in the SW $\frac{1}{4}$ of Section 8, Township 111N, R41W, and described as follows: Commencing at the Southerly corner of Lot 11, Block 5, Westwood Acres Addition to the City of Marshall; thence Southeasterly at right angles to the Northwesterly right-of-way line of said Country Club Drive for a distance of 150'; thence Southwesterly along the Southeasterly right-of-way line of Country Club Drive for approximately 2,290' to the West line of said Section 8; thence North on said section line approximately 188' to the Northwesterly right-of-way line of said Country Club Drive; thence Northeasterly along the Northwesterly right-of-way line of Country Club Drive for a distance of approximately 2,170' to the point of beginning.

IT IS FURTHER ORDERED: that, in the event property taxes are levied against the property during the next 3 years, the mill levy of the City of Marshall on the property herein ordered annexed shall be increased in substantially equal proportion over a period of 3 years to equality with the mill levy of the property already within the City. In the year following annexation the increase in the mill rate for city purposes on the property annexed shall not exceed $\frac{1}{3}$ of the difference between the current mill levy for city and township purposes. In the second year following annexation the increase in the mill rate on the property annexed shall not exceed $\frac{1}{2}$

of the then existing difference between the mill levy on the property annexed and the full mill levy for city purposes. In the third year following annexation the property annexed shall be taxed at the full city rate.

Dated this 29th day of October, 1975

MINNESOTA MUNICIPAL COMMISSION
304 Capitol Square Building
Saint Paul, Minnesota 55101

A handwritten signature in cursive script, reading "Patricia D. Lundy". The signature is written in dark ink and is positioned above the printed name and title.

Patricia D. Lundy
Acting Executive Secretary